



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

May 7, 2004

CERTIFIED MAIL  
7003 2260 0002 9878 0318

Kelly and Peggy Cupples  
Fab Tek  
2603 S. 16<sup>th</sup> Avenue  
Yakima, WA 98903

**RE: Notice of Temporary State Waste Discharge Permit No. ST-9239  
for Fab Tek, Effective May 1, 2004**

Dear Mr. and Mrs. Cupples:

Your application for State Waste Discharge Permit No. ST-9239 for Fab Tek was received by this office on April 16, 2003. It was reviewed and accepted as complete on March 16, 2004.

A Public Notice of Application was published on March 24, and March 31, 2004, in the Yakima Herald Republic and the public comment period ended May 1, 2004, with no comments being received.

Given our limited resources, we are unable to process your application at this time. **RCW 90.48.200 states, "In the event of failure of the Department to act upon an application within sixty days after it has been filed, the applicant shall be deemed to have a temporary permit. Said permit shall authorize the applicant to discharge waste into waters of the State as requested in its application only until such time as the Department shall have taken action upon said application."**

Therefore, as RCW 90.48.200 and WAC 173-216-090 provide, your new Temporary Permit became effective May 1, 2004, the day following completion of the public notice comment period. It will remain in force for up to five years or until further notice by the Department, whichever occurs first. The Department will undertake writing a full permit as time allows. At that time we will contact you to discuss any changes in operation and to do a site visit.

Your temporary permit consists of the permit application and all appendices submitted with it. This includes the requirement to have the contents of the phosphate tank and rinse tank analyzed for the appropriate list of parameters and the results shared with the City of Union Gap (Dennis Henne, Public Works Director) with a copy to the Department of Ecology, prior to discharge to the City's collection System. Compliance with the application and the appendices will constitute compliance with the temporary permit.

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This authorization does not allow you to discharge pollutants not specified in your application and attachments or in quantities exceeding those specified in your application or appendices, or in quantities exceeding those specified. You are also required to comply with all water pollution laws and regulations. A new application is required in five years.

Under the Model Toxics Control Act, codified as RCW 90.48.465, Ecology is required to recover the cost of the Water Quality Permit Program. Ecology has adopted a regulation (Chapter 173-224 WAC) establishing annual permit fees for all municipal/domestic and industrial wastewater discharge permit holders. Your Temporary Permit is subject to this fee.

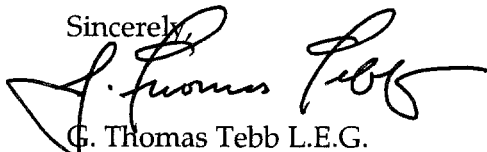
Your permit fee is subject to the fee schedule in Chapter 173-224 WAC:

Fee category: Metal Finishing  
Subcategory: a. <1,000 gpd  
Annual fee: \$1,646.00

Permit fee billing will be in a separate mailing from the Ecology Fee Unit. Based on a telephone conversation between Peggy Cupples and Rick Frye, it is believed that this facility will apply for a small business extreme hardship fee reduction under WAG 173-224-090. For instructions regarding this process, please contact Sally Attwood, Ecology Fee Unit at 360/407-6424.

If you have any questions or need assistance, please feel free to contact Kim Sherwood, your permit manager at 509/457-7108.

Sincerely,



G. Thomas Tebb L.E.G.  
Section Manager  
Water Quality Program

GTT:CH:vv

cc: Dennis Henne, City of Union Gap (102 W. Ahtanum Rd, Union Gap 98908)  
Scott Schafer, City of Yakima (2220 E. Viola, Yakima 98901)  
Bev Poston, Ecology-Olympia  
Joe Ortiz, Ecology-Yakima  
Cindy Huwe, Ecology-Yakima